

UNITED STATES DISTRICT COURT

for the

Northern District of Texas

In re DMCA Section 512(h) Subpoena to Discord

Plaintiff

v.

Defendant

Civil Action No.

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTIONTo: Discord, Inc. c/o CT Corporation System, 330 N. Brand Blvd, Suite 700
Glendale, California 91203

(Name of person to whom this subpoena is directed)

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See Exhibit A

Place: Sul Lee Law Firm, PLLC
3030 Lyndon B Johnson Fwy, Suite 220
Dallas, Texas 75234Date and Time:
June 12, 2024 12:00PM

☐ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 05/22/2024



CLERK OF COURT

S/K. Bacheller

Signature of Clerk or Deputy Clerk

OR

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) _____
Nexon Korea Corporation, who issues or requests this subpoena, are:

Sul Lee; Sul Lee Law Firm; 3030 LBJ Fwy, Suite 220, Dallas Texas 75234; sul@sulleelaw.com; 214-239-2823

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. _____

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*I received this subpoena for *(name of individual and title, if any)* _____on *(date)* _____.☐ I served the subpoena by delivering a copy to the named person as follows: __________ on *(date)* _____; or☐ I returned the subpoena unexecuted because: _____

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

*Server's signature*_____
*Printed name and title*_____
Server's address

Additional information regarding attempted service, etc.: _____

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)**(c) Place of Compliance.**

(1) For a Trial, Hearing, or Deposition. A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
 - (i) is a party or a party's officer; or
 - (ii) is commanded to attend a trial and would not incur substantial expense.

(2) For Other Discovery. A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

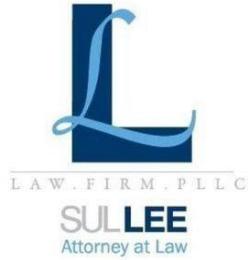
(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

EXHIBIT A
REQUEST FOR PRODUCTION

1. Produce all information sufficient to identify the operator and/or owner (the “Infringers”) of each of the servers who uploaded, hosted, and/or contracted with other providers to host the infringing content identified in Exhibit 1 to the DMCA Notice issued on behalf of Nexon Korea Corporation (“Nexon”), requesting takedowns of infringing material of several video games copyrighted by Nexon Korea Corporation (the “Copyrighted Material”) attached to this subpoena as Exhibit A-1, from any and all sources, including but not limited to billing or administrative records that prove the following information used by each of the Infringers, along with a time-stamp, from the time of user registration and to date: name(s), last known address(es), last known telephone number(s), any and all email address(es), and mailing and billing address(es) of each of all of the payment methods (including, but not limited to, credit cards, bank accounts, and any online payment systems); hosting provider(s); server(s); any other contact information; and any and all logs of IP address(es).



SUL LEE LAW FIRM, PLLC
3030 Lyndon B Johnson Fwy
Ste 220, Dallas TX 75234
Tel 214-206-4064
Fax 214-206-4068
Website www.sulleelaw.com

May 9, 2024

Discord
ATTN: DMCA Agent
444 De Haro Street, Suite 200
San Francisco, California 94107

Via CMRRR:
Via email: copyright@discord.com

RE: Digital Millenium Copyright Act (DMCA) Takedown Request

Dear Discord,

The undersigned firm represents Nexon Korea Corporation (“**Nexon**” or the “**Copyright Owner**”), the developer of MapleStory, a two-dimensional, side-scrolling multiplayer online role-playing game. We hereby provide notice of copyright infringement pursuant to the terms of the Digital Millenium Copyright Act (the “**DMCA**”) and Discord’s Copyright and IP Policy.

Nexon is the owner of the copyright in the following work(s) (the “**Work**”):

1. MapleStory, <https://maplestory.nexon.com/>

It has come to the Copyright Owner’s attention that your service located at the URLs as listed in Exhibit 1 (the “**Service**”) provides access to materials that infringe Copyright Owner’s copyright in the Work. Exhibit 1, as attached hereto, provides a list of the infringing material at issue and the URLs at which the infringing material is accessible on the Service.

The use of the Work in any manner described in this letter is **not authorized** by the Copyright Owner, any agent of the Owner, or any applicable law. As the duly authorized attorneys for the Copyright Owner, we have a good faith basis to believe that all information contained in this notification is accurate. This letter shall serve as a request that you remove or disable access to the infringing materials as set forth in Section 512(c)(1)(C) and Section 512(d)(3) of the DMCA and pursuant to your Copyright and IP Policy.

Please contact the undersigned no later than **ten days from the date of this letter** to confirm that the infringing materials have been removed or access disabled. The undersigned may be contacted at the mailing address, telephone number, and email address set forth as follows:

Name: Sul Lee Law Firm, PLLC

Address: 3030 LBJ Fwy Ste. 220, Dallas, Texas 75234

Telephone: (214) 206-4064

Email: jdejesus@sulleelaw.com

CC: sul@sulleelaw.com and kkim@sulleelaw.com

Sincerely,

AGENT FOR NEXON KOREA CORPORATION

Sul Lee Law Firm, PLLC

/s/ Jian De Jesus

Jian De Jesus

Associate Attorney

Exhibit 1**1. Infringed Work – MapleStory**

Server Name	Category	Description
나나스 토리	Website (if applicable)	
	Discord Server ID	1131827395104616561
	Infringer UID	1125676006502584330
	Invite Code	http://discord.gg/cFvMbhfVq4
	Example message link of infringing activity	https://discord.com/channels/1131827395104616561/1131851269758255155/1134363931884920892
라퓨타	Website (if applicable)	
	Discord Server ID	1144653296582279278
	Infringer UID	1144651337448038591
	Invite Code	https://discord.com/invite/ZjDt3WJ8bc
	Example message link of infringing activity	https://discord.com/channels/1144653296582279278/1152146049553678347/1152146049553678347
멜로디	Website (if applicable)	
	Discord Server ID	1167414439348281354
	Infringer UID	1167410172554129475
	Invite Code	https://discord.gg/mYTRbpS2mY
	Example message link of infringing activity	https://discord.com/channels/1167414439348281354/1172384579986927747/1179067706327191650
니르바 나	Website (if applicable)	
	Discord Server ID	1109426846015164416
	Infringer UID	1033704371348852848, 434092344581816330
	Invite Code	https://discord.gg/9tBpPUpMYX
	Example message link of infringing activity	https://discord.com/channels/1109426846015164416/1109428605487956069/1159593905973645372
토이스 토리	Website (if applicable)	
	Discord Server ID	1171080157210103808
	Infringer UID	1184303439065382922
	Invite Code	https://discord.gg/RGdwnbH28E
	Example message link of infringing activity	https://discord.com/channels/1171080157210103808/1171084695879037060/1184770165209038878
레드문	Website (if applicable)	
	Discord Server ID	1133391293612044479
	Infringer UID	1133582126474870836, 709441980161196043, 913299175762980945
	Invite Code	https://discord.gg/vGVJJhZ7hf
	Example message link of infringing activity	https://discord.com/channels/1133391293612044479/1133399598434627756/1134377691768950825
코인	Website (if applicable)	
	Discord Server ID	1181037526249639936
	Infringer UID	1181016465651007582, 402773028137861132,

		863066127188754493, 926752939090014228
	Invite Code	https://discord.gg/pFw33fw4
	Example message link of infringing activity	https://discord.com/channels/1181037526249639936/1181060778091085894/1186620510432399401
엘리트	Website (if applicable)	
	Discord Server ID	1032262304387059754
	Infringer UID	311386662015860736
	Invite Code	https://discord.com/invite/sWSnfG5PxX
	Example message link of infringing activity	https://discord.com/channels/1032262304387059754/1117670153774170203/1138489999008993370
오리진	Website (if applicable)	
	Discord Server ID	1128292662034825288
	Infringer UID	947979138667540511
	Invite Code	https://discord.gg/HHYDzTb3JF
	Example message link of infringing activity	https://discord.com/channels/1128292662034825288/1138728294406180875/1138728698900643840
세리아	Website (if applicable)	
	Discord Server ID	1191268241058836590
	Infringer UID	1115994186307620895, 364450192373710859
	Invite Code	https://discord.com/invite/futjGZ2A4z
	Example message link of infringing activity	https://discord.com/channels/1191268241058836590/1191268868493160580/1209125975397371994
메데르	Website (if applicable)	
	Discord Server ID	1195242607811494008
	Infringer UID	1021308395833266176
	Invite Code	https://discord.gg/2Rv7n3jZjB
	Example message link of infringing activity	https://discord.com/channels/1195242607811494008/1197501328516194304/1207676558429528064
리플렉스	Website (if applicable)	https://t.me/reflex_maple
	Discord Server ID	1204381847165997096
	Infringer UID	854092951911137291, 344509299998982159
	Invite Code	https://discord.com/invite/MzkaNC387h
	Example message link of infringing activity	https://discord.com/channels/1204381847165997096/1204398549165408317/1207178255820394537
랩소디	Website (if applicable)	
	Discord Server ID	1207671464652967957
	Infringer UID	1207667864711200860
	Invite Code	https://discord.gg/Fp wz7bAJMb
	Example message link of infringing activity	https://discord.com/channels/1207671464652967957/1207688900328300574/1211597377031372800
블루	Website (if applicable)	
	Discord Server ID	1178486469892001842
	Infringer UID	1172863073464360987
	Invite Code	https://discord.gg/tvPweZPCNa

	Example message link of infringing activity	https://discord.com/channels/1178486469892001842/1179591718614609930/1206198091192078366
플로라	Website (if applicable)	
	Discord Server ID	1199669780177752145
	Infringer UID	1196981501976387594
	Invite Code	https://discord.gg/rbF336mFqs
	Example message link of infringing activity	https://discord.com/channels/1199669780177752145/1207624871660625972/1207624871660625972
하인즈	Website (if applicable)	
	Discord Server ID	1200017801524559904
	Infringer UID	833228823582605343, 189003694250000384,1203602252883951 696
	Invite Code	https://discord.gg/BCYg7kn5TA
	Example message link of infringing activity	https://discord.com/channels/1200017801524559904/1200220053312897085/1214581407955820564
아오지	Website (if applicable)	
	Discord Server ID	1216326709217857576
	Infringer UID	1216326035583270994
	Invite Code	https://discord.com/invite/9hfkm8mQU3
	Example message link of infringing activity	https://discord.com/channels/1216326709217857576/1216352241485877258/1218525789600088164
히라	Website (if applicable)	
	Discord Server ID	1217786672465576007
	Infringer UID	711304489356754954
	Invite Code	https://discord.gg/Bd9YgkbegJ
	Example message link of infringing activity	https://discord.com/channels/1217786672465576007/1218154868330463262/1218169566169927741

2. Wanted Infringer -Infringing Material is a Server itself

Server Name	Category	Description
메이플 루시	Website (if applicable)	
	Discord Server ID	1172898019482542152
	Infringer UID	1172880880163885116
	Invite Code	https://discord.com/invite/DSE29HAX6X
	Bot	
메이플 올드	Website (if applicable)	
	Discord Server ID	1051859768676974623
	Infringer UID	982990103657988146, 1191333391119958069, 544774873126535178
	Invite Code	https://discord.com/invite/TpGh4NMSTm
	Bot	1057664099904933918
라즐리	Website (if applicable)	
	Discord Server ID	1232912081112662046

	Infringer UID	1752866798390607934
	Invite Code	
	Bot	1233584587658104953
메이플 로얄	Website (if applicable)	
	Discord Server ID	964822228724244530
	Infringer UID	871229837380034601
	Invite Code	https://discord.com/invite/2TzgNx3sGY
	Bot	1017093401474252881, 966200811464036373
메모리	Website (if applicable)	
	Discord Server ID	1187057937550688286
	Infringer UID	953101791267024956
	Invite Code	https://discord.com/invite/rWtYRaz3aW
	Bot	